

REMARKS

In the Office Action mailed September 24, 2002, the Examiner rejected claims 1 to 20. The rejections are each respectfully traversed. This Amendment "A" cancels no claims, amends claims 1, 12, and 13, and adds new claims 21 to 25. Accordingly, claims 1 to 25 are now pending in this application.

Claims 1 to 20 were rejected under 35 U.S.C. 102(b) as anticipated by Harney (US 5,014,958).

Harney discloses a seat adjuster having a slotted assembly which allows for the movement of rivets or pins in the slot in a manner which permits minimum tolerances and eliminates unacceptable levels of free play in the slot. Column 1, line 60 to Column 2, Line 3. As best shown in Fig. 7, pin or rivet 220 extends through a slot 230 in riser 206 and an opening in bell crank 110. Arcuate members 240 made of a resilient material are secured to the riser 206 and engage the pin 220. Flanges 240a of the members 240 provide a springing action against the pin 220 to minimize free play as the pin 220 slides along the slot 230. With the free play minimized, two degrees of freedom remain: rotation and linear sliding in the direction of the slot. See Column 19, Lines 18 to 63.

Claim 1 and claims dependent therefrom are allowable because they each include the limitation "wherein said body portion extends through said first and second apertures and is plastically deformed so that the body portion is expanded outwardly within the first and second apertures to engage the first and second links within the first and second apertures whereby the fastener secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween". No prior art of record reasonably discloses or suggests the present invention as defined by claim 1. While Harney and the present applicant solved the similar problem of free play in systems which rotate about a rivet, Harney and the present applicant solved the problem in very different ways. Harney solved the problem by including resilient spring members which engage the rivet while the present applicant solved the problem by plastically deforming the rivet radially outward into

engagement with the linked members. It should also be noted that the device of Harney permits relative linear movement in the direction along the slot. The present invention as claimed does not permit linear movement in any direction. Reconsideration and withdrawal of the rejection is requested.

Claim 13 and claims dependent therefrom are allowable because they each include the limitations that “said body portion being generally cylindrical and having a central bore with an internal diameter, and the central bore has a length which is greater than the first thickness and less than the first thickness and the second thickness combined” and “said body portion extends through said first and second apertures and is plastically deformed so that the body portion is expanded outwardly within the first and second apertures to engage the first and second links within the first and second apertures whereby the fastener secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween”. No prior art of record reasonably discloses or suggests the present invention as defined by claim 13. The Harney specification is silent as to the type of rivet 220 that is used, figures 4 and 7 clearly show that rivet 220 is a solid rivet and does not have a central bore of any kind. Additionally, Harney solves the problem of free play in a very different manner than the claimed device as discussed in detail with regard to claim 1. Reconsideration and withdrawal of the rejection is requested.

Enclosed herewith is a document containing marked-up versions of the changes made to the specification, abstract, and claims by the current amendment. The document is captioned **“VERSION WITH MARKINGS TO SHOW CHANGES MADE”**.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, applicant's undersigned attorney requests that the examiner initiate a telephone interview to expedite prosecution of the application.

If there are any fees resulting from this communication, please charge same to our
Deposit Account No. 16-2326.

Respectfully submitted,

PORTER, WRIGHT, MORRIS & ARTHUR LLP

December 18, 2002

A handwritten signature in cursive script, appearing to read "Richard M. Mescher", written over a horizontal line.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Amendment "A" makes the following changes to the claims:

1. (amended) A vehicle seat mounting assembly comprising, in combination:

at least one movable seat track;

a linkage assembly including:

a first link having a first external surface, a first internal surface, and a first aperture extending between the first external surface and the first internal surface;

a second link having a second external surface, a second internal surface, and a second aperture extending between the second external surface and the second internal surface;

a fastener having a head portion and a cylindrical body portion extending therefrom and terminating at a distal end opposite said head portion; and

wherein said body portion extends through said first and second apertures and is plastically deformed so that the body portion is expanded outwardly within the first and second apertures to engage the first and second links within the first and second apertures whereby the fastener secures the first and second ~~members~~ links to allow relative rotational movement between the first and second ~~members~~ links while preventing relative linear motion therebetween; and

wherein said linkage assembly is operably connected to said seat track to move said seat track.

12. (amended) A vehicle seat mounting assembly as recited in claim 1, wherein the cylindrical body portion has an external diameter and said head portion is enlarged such that the head portion extends radially outward beyond the external diameter of the body portion.

13. (amended) A vehicle seat mounting assembly comprising, in combination:

at least one movable seat track;

a linkage assembly including:

a first link having a first external surface, a first internal surface, and a first aperture extending between the first external surface and the first internal surface;

a second link having a second external surface, a second internal surface, and a second aperture extending between the second external surface and the second internal surface;

a fastener having a head portion and a body portion extending outwardly from said head portion and defining an external diameter, said body portion being generally cylindrical and having a central bore with an internal diameter, and the central bore has a length which is greater than the first thickness and less than the first thickness and the second thickness combined; and

wherein said body portion extends through said first and second apertures and is plastically deformed so that the body portion is expanded outwardly within the first and second apertures to engage the first and second links within the first and second apertures whereby the fastener secures the first and second ~~members~~ links to allow relative rotational movement between the first and second ~~members~~ links while preventing relative linear motion therebetween; and

wherein said linkage assembly is operably connected to said seat track to move said seat track.

21. (new) A vehicle seat mounting assembly as recited in claim 1, wherein the fastener secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween in all directions perpendicular to a direction the fastener is extending through the first and second links.

22. (new) A vehicle seat mounting assembly as recited in claim 3, wherein the distal end of the body portion is plastically deformed to form the lip.

23. (new) A vehicle seat mounting assembly as recited in claim 3, wherein the lip secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween in a direction the fastener is extending through the first and second links.

24. (new) A vehicle seat mounting assembly as recited in claim 13, wherein the fastener secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween in all directions perpendicular to a direction the fastener is extending through the first and second links.

25. (new) A vehicle seat mounting assembly as recited in claim 16, wherein the lip secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween in a direction the fastener is extending through the first and second links.